



State of New Jersey

James E. McGreevey
Governor

Department of Environmental Protection

Bradley M. Campbell
Commissioner

Christopher Anderson
Director Environmental Affairs
L.E. Carpenter and Company
33587 Walker Road
Avon Lake, OH 44012

OCT 20 2004

RE: L.E. Carpenter Superfund Site
Wharton, Morris County, New Jersey

Dear Mr. Anderson:

The New Jersey Department of Environmental Protection (NJDEP or Department) has completed a review of the document titled "Response to Regulatory Comments on the Remedial Action Work Plan (RAWP)" dated September 14, 2004. This document was prepared by RMT, Inc. on behalf of L.E. Carpenter and Company (LE). The NJDEP has the following comments which must be addressed. Please be advised that the United States Environmental Protection Agency (USEPA) is currently conducting a review of this document and any comments will be forwarded shortly.

General Comments:

As reported in the Quarterly Monitoring Report - 2nd Quarter 2004 dated September 2, 2004, the proposed footprint of the source reduction excavation has been expanded. If the revised RAWP calls for an excavation up to the Rockaway River, then safe guards, including engineering controls to prevent further discharge of product to the river during construction, must be provided.

Specific Comments:

PCB Confirmatory Sampling, page 3 of 10: The ROD cleanup criteria for PCB contaminated soil on the Wharton Enterprise property was established at 2 ppm, based on a non-residential industrial end use (the Non Residential Direct Contact Soil Cleanup Criteria for PCBs). The ROD Soil Cleanup Criteria for PCBs was established with the understanding that the Wharton Enterprise property would be provided with institutional controls and issued a deed notice. Since the projected use of this property has changed, the area will now require remediation to the Residential Direct Contact Soil Cleanup Criteria of 0.49 ppm. All confirmatory (post-excavation) samples must be in accordance with N.J.A.C. 7:26E.

Proposed Confirmatory Sample Spacing, page 3 of 10: The response states that the addition of lead soil excavation sidewall confirmatory samples should provide enough data to assure the removal of impacted PCB and lead soils. As previously requested by the Department, the RAWP must provide a figure that shows all of the proposed post-excavation sample locations as well as any RI delineation samples that will be used to document a clean zone boundary (horizontally or vertically).

Extent of Free Product Impacted Soils, page 4: The report states that "the goal of this source reduction action is to remove as much of the free-product as is practicable, not to remove every possible molecule of contamination". The NJDEP cannot concur with this statement as LE estimates 4700-9700 gallons of free-phase product remain in the aquifer, based upon the Free Product Volume Analysis (RMT May 2000). LE also estimates 4700-9700 gallons of free phase product will be recovered during the remedial excavation activities. LE should be aware that a most conservative "worst case" would indicate that up to 5000 gallons of free phase product could be left behind upon completion of the excavation. This volume of product would continue to be a long-term source of dissolved ground water contamination. LE shall indicate what additional remedial measures would be implemented should the proposed excavation activities fail to remove all or most of the product. This issue shall be addressed.

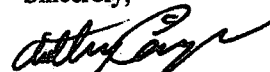


RAWP Pilot Excavation UST Contingency Response, page 8 of 10: The RAWP response states that an UST was removed and the contents disposed of. The location of the former tank must be shown on the RAWP figures. If the location is included in the area of proposed soil excavation, post-ex soil samples must be collected from a depth that coincides with the tank invert. The analytical parameters for these samples must include VO+10 and BN+10.

Rockaway River Petroleum Discharge, page 9 of 10: Details pertaining to the recently reported petroleum discharge into the Rockaway River and the expanded remediation must be submitted. Please also refer to the NJDEP's response letter to the Quarterly Monitoring Report – 2nd Quarter 2004 dated September 2, 2004 dated October 19, 2004.

Should you have any questions please feel free to contact me at (609) 633-1416.

Sincerely,



Anthony Cinque, Case Manager
Bureau of Case Management

C: Jon Rheinhardt, Wharton Borough
Nick Clevett, RMT, Inc.
Steve Cipot, USEPA
George Blyskun, BGWPA
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